

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

MICHAEL CASELMAN,

Plaintiff

v.

GEORGIA-PACIFIC GYPSUM LLC,

Defendant.

Case No. 4:14-CV-01338-CAS

**JOINT PROPOSED SCHEDULING PLAN**

Pursuant to the Court's directive in the Order Requiring Joint Proposed Scheduling Plan, Plaintiff Michael Caselman ("Plaintiff") and Defendant Georgia-Pacific Gypsum LLC ("Defendant") submit this Joint Proposed Scheduling Plan.

- 1) Track assignment: The case has been assigned to Track 2 by the Court.
- 2) Joinder and amendment deadline: The deadline for joinder of additional parties or amendment of pleadings shall be **March 6, 2015**.
- 3) The parties agree to the following discovery plan:
  - a. Electronically stored information: The parties agree to narrowly tailor their discovery requests to avoid overly broad, unduly burdensome production of electronically stored information. Unless otherwise agreed upon, the parties shall produce electronically stored information in Portable Document Format ("PDF").
  - b. Claims of privilege and/or work-product protection: Inadvertent production of an otherwise privileged document shall not be deemed a waiver of its privileged status. A party may "claw back" such production

by notifying the other party of the inadvertent production, and the grounds for the assertion of privilege or work-product protection, as soon as possible after the producing party discovers the inadvertent production, at which point the receiving party shall cease further examination of the material and return and/or destroy the inadvertently produced document or documents. The parties anticipate filing a joint motion for entry of a protective order in this matter.

- c. Initial Disclosures: The parties agree to serve their initial disclosures within **30 days** after Defendant files its Answer to the Complaint, *i.e.*, on or before August 29, 2014.
- d. Discovery limitations: At this time the parties do not believe that discovery should be limited to certain issues at this time.
- e. Expert witness disclosure: At this time the parties do not anticipate using expert witnesses.
- f. Deposition and interrogatory limits: The parties agree that the limitations to **10** depositions per side as set forth in Fed. R. Civ. P. 30(a)(2)(A) and **25** interrogatories per side as set forth in Fed. R. Civ. P. 33(a) should apply in this case.
- g. Physical and mental examinations of parties: At this time the parties do not anticipate seeking physical or mental examinations of any parties.
- h. Close of discovery: The parties propose a deadline for the completion of all discovery of **May 30, 2015**.

- i. Additional matters: The parties agree to service by electronic mail pursuant to Fed. R. Civ. P. 5(b)(2)(E).
  - j. Discovery disputes: All pretrial discovery disputes shall be raised with the Court on or before May 30, 2015.
- 4) Alternative Dispute Resolution: At this time the parties do not believe that a referral of the action to mediation or early neutral evaluation would be productive. The parties, however, believe that an Alternative Dispute Resolution referral would be most productive following meaningful discovery by both sides. The parties propose a mediation deadline of May 30, 2015.
- 5) Dispositive motions: The parties propose a deadline for the filing of all dispositive motions of **June 30, 2015**, after the close of discovery indicated in subsection (3)(h) above.
- 6) Trial: The parties believe that the earliest date by which this case would be ready for trial would be **February 1, 2016**. The parties estimate trial length to be **3-5 days**.

Date: August 22, 2014

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